9. அரசினர் சட்டமுன்வடிவுகள்—தொடர்ச்சி.

(ஈ) தமிழ்நாடு 1972-ம் ஆண்டு சங்கங்கள் பதிவுச் சட்டமுன்வடிவு (சட்டப் பேரவை சட்டமுன்வடிவு எண் 53/72).

THE HON. THIRU S. MADHAVAN : Sir,—

The Societies Registration Act, 1860 (Central Act XXI of 1860) was passed in 1860 when the law relating to Societies was in its infancy in India. The actual working of the Act for the past several decades brought to light many defects, as, for instance, there is no provision in the Act permitting change of name of a society, alteration of bye-laws, keeping of a registered office, maintenance of a register of members and Committee members, holding of annual general meeting, winding up of the Societies under the orders of Registrar, etc. As a result, much difficulty has been experienced by the public and by the administrative officers alike.

Therefore, the question of repealing the Societies Registration Act, 1860, which is a Central Act, and replacing it by a suitable State enactment has been under the consideration of the Government for quite some time. Accordingly, the Tamil Nadu Societies Registration Bill, 1972 (L.A. Bill No. 53 of 1972) was introduced in the Legislative Assembly during its last session.

I may now mention a few salient features of the Bill for the information of Honourable Members. The Bill seeks to bring societies for promotion of religion, social reform, improvement of crafts and cottage industries, within the scope of the provision, and the registration of societies for diffusion of political education, provided for, in the existing Act, has been excluded from the purview of the proposed legislation.

The Bill provides for compulsory registration of not only the literary, science art, etc., societies whose annual gross income or expenditure in any financial year is not less than Rs. 2,500 within a stipulated time, but also provides for registration of unregistered societies with such expenditure as may be prescribed, and which are formed before the commencement of the proposed legislation and in existence.

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The Bill also seeks to prohibit registration of a society by a name undesirable, in the opinion of the Government or with a name identical to that of an existing registered society in the same district or with the words such as "Reserve Bank" 'Union', etc., as part of its name, and also enables change of name of a society.

Specific provision has been made in the Bill requiring a society to keep an office and to notify its situation and also the maintenance of Register of members of society.

The Bill requires a registered society to keep proper books of its accounts and to present before the general body meeting at the end of each financial year, audited receipts and expenditure account and balance sheet with the auditor's report.

Provision has also been made in the Bill to invest the funds of a society either in immovable properties, or in Government securities, and also to vest, with the society, the power to spend, out of its funds, such sums for certain authorised purposes subject to certain restrictions.

The Bill also provides for the saving of rights of creditors, in the event of amalgamation or division of societies.

Necessary provision has been made in the Bill for inspection of books of society by the Registrar or any authorised person, for causing enquiry by the Registrar into the affairs of society, for cancellation of registration of a society, winding up, removal of societies, as well as to levy fees for filing documents, issue of certificates or registration, etc., and to enhance the fee for registration, etc. of a society from Rs. 50 to Rs. 90 with power to Government for remission of fees. There are no such provisions in the said Central Act.

Further, the Government have been empowered to exempt any society from the operation of any of the provisions of the proposed legislation or with any modification and also to remove any difficulty arising in implementing the proposed legislation.

In view of the far-reaching changes sought to be introduced in the Bill and as it is also proposed to enact legisaltion by the State Legislature for the first time for the registration of societies, it

is considered expedient to refer the Bill to a Joint Select Committee of both the Houses with its concurrence. I accordingly move the following motion for the consideration of the House :

"That the concurrence of the Legislative Council be obtained for setting up a Joint Select Committee of both the Houses consisting of 16 members from the Tamil Nadu Legislative Assembly and 8 members from the Tamil Nadu Legislative Council to consider the Tamil Nadu Societies Registration Bill, * 1972 (Legislative Assembly Bill No. 53 of 1972) and that the following members of the House be selected to serve on such a Joint Select Committee :—

1. Thiru A. Rajamanickam.
2. Thiru V. K. Rajah Pillai.
3. Thiru K. Thirupathi.
4. Thiru D. Soniah.
5. Thiru A. K. Doraisamy.
6. Thiru M. V. Narayanaswamy.
7. Thiru N. Nachiappan.
8. Dr. R. Naina Malai.
9. Thiru R. Manickavachagam.
10. Thiru R. Ponnappa Nadar.
11. Thiru G. R. Edmund.
12. Thiru Manali C. Kandasamy.
13. Thiru K. Kandasamy.
14. Thiru K. A. Wahab.
15. Thiru B. Venkatasamy.
16. Thirumathi T. N. Anandanayaki.

தீர்மானம் பேரவையின் முடிவுக்கு விடப்பட்டு, நிறைவேற்றப் பட்டு, சட்டமுன்வடிவு கூட்டாய்வுக் குழுவின் பரிசீலனைக்கு அனுப்பப்பட்டது.

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* Published in the *Tamil Nadu Government Gazette* Extraordinary, dated 14th December 1972.

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மாண்புமிகு மாற்றுத் தலைவர் (திரு. நா. வீராசாமி) : சட்டப் பேரவை விதிகள் 139 (1) விதியின்படி மாண்புமிகு தொழிற்துறை அமைச்சர் அவர்களை இக்குழுவின் உறுப்பினராக நியமனம் செய்கிறேன். 12-30 பி.ப.

9. அரசினர் சட்ட முன்வடிவுகள்—தொடர்ச்சி.

(உ) 1973-ம் ஆண்டு பொது இஸ்லாமியர் அறக் கட்டளைகள் (காலவரையறையை நீட்டித்தல்) தமிழ்நாடு திருத்த சட்ட முன்வடிவு.

THE HON. THIRU S. J. SADIQ PASHA : Sir, I beg to move—

'That the Public Wakfs (Extension of Limitation) Tamil Nadu Amendment Bill*, 1973 (L.A. Bill No. 8 of 1973) be taken into consideration.'

The Public Wakfs (Extension of Limitation) Act, 1959 (Central Act 29 of 1959), as subsequently amended, extends the period of limitation in certain cases for suits to recover possession of immovable property forming part of public wakfs up to the 31st December 1972. Though, availing this provision, a number of suits have already been filed, there are a number of cases in which suits have yet to be filed. It is, therefore, considered necessary that the time-limit for filing such suits in this State should be extended up to the 31st December 1975.

The Bill seeks to achieve the above object. Sir, I commend the motion for the acceptance of the House.

* **திரு. வா. மை. அப்துல் ஜப்பார் :** மாண்புமிகு மாற்றுத் தலைவர் அவர்களே, வக்ப் ஆக்ட் காலாவதியாகும் சட்டத்தை மேலும் ஒரு ஆண்டு நீட்டிக்கவேண்டும் என்று அமைச்சர் அவர்கள் கொண்டு வந்துள்ள இந்தத் திருத்தத்தை நான் ஆதரித்து ஒரு சில கருத்துக்கள் சொல்ல விரும்புகிறேன்.

தமிழ்நாடு எங்கும் இது ஒரு அறிந்த விஷயம். முஸ்லிம் வக்ப் ஸ்தாபனத்திற்குச் சொந்தமான சற்றேறக்குறைய 300 கோடி ரூபாய்க்கு அதிகமான சொத்துக்கள் பிறரால் ஆக்கிரமிக்கப்பட்டு

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* Published in the *Tamil Nadu Government Gazette* Extraordinary, dated 26th March 1973.